

SENATE COMMITTEE ON FEDERAL, STATE AND LOCAL GOVERNMENTS
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS

JOINT HEARING

Minutes of Meeting -- February 28, 1973

A joint hearing of the Senate Committee on Federal, State and Local Governments and the Assembly Committee on Government Affairs was held on February 28, 1973. Chairman Gibson of the Committee on Federal, State and Local Governments called the meeting to order at 3:00 P.M.

Those in attendance were:

Lee Walker)	
Chic Hecht)	
John Foley)	Senate Committee on Federal,
Carl Dodge)	State and Local Governments
Joseph Dini, Chairman)	
Mary Gojack)	
Jean Ford)	
Hal Smith)	Assembly Committee on Government
James Ullom)	Affairs
Virgil Getto)	
Paul May)	
Roy Young)	

Also present were:

Assemblyman Lawrence Jacobsen
Assemblyman Tim Hafen
Warren Hursh, Churchill County
Harold Dayton, Douglas County
Howard McKibbin, Douglas County
Senator Warren Monroe, Elko County
Robert Hartman, Esmeralda County
Mark Maletto, Eureka County
Bowd Howard, Eureka, Lander, Humboldt, Pershing
Bill Milish, Pershing County
Bill McDonald, Humboldt County
Raymond Free, Lincoln County
Bob Griffin, Lyon County
Charles Waterman, Mineral County
Mack McCluskey, Mineral County
William Beko, Nye County

Henry Etchemendy, Carson City
Michael Fondi, Carson City
Vaughn Smith, Carson City
Bob DelCarlo, Storey County
Merlin Hoyt, White Pine County
Roy Woofter, Clark County
Stan Colton, Clark County
Robert Rose, Washoe County
H. K. Brown, Washoe County
Vince Sweeney, Washoe County
Russ McDonald, Washoe County Manager
John Meder, Carson City
Press representatives

Chairman Gibson called the meeting to order and explained that this hearing was not for the purpose of considering a bill now before the legislature, but merely to hear testimony and recommendations from each county with regard to the Salary Act now set up in the Nevada Revised Statutes.

CHURCHILL COUNTY - WARREN HURSH (County Commissioner)

Churchill County, at the present time, is in Class 7. They would request Class 4, plus a 5% cost-of-living increase. They would recommend (other than county commissioners) that elected officials be set at \$12,180, and have no specific request for the county commissioners.

DOUGLAS COUNTY - HAROLD DAYTON (County Commissioner)

Douglas County is now in Class 4 and would request Class 3. \$15,600 is requested for the four elected officials, with no particular recommendation for the county commissioners.

DOUGLAS COUNTY - HOWARD MCKIBBON (District Attorney)

With respect to the District Attorney's office, their workload is presently fourth largest in the state behind Clark, Washoe, and Carson City. Approximately 75% of the cases prosecuted in Douglas County are people who come from out-of-state to the Tahoe area. They would recommend the possibility of establishing "salary ranges" in each county, permitting some discretion of the county commissioners and based upon a cost-of-living increase. Some consideration should be given to changing the present statutory limitation on increasing salaries during the term of office. Any increases given should become effective on July 1, 1973.

ELKO COUNTY - SENATOR WARREN MONROE

Elko County would recommend an increase to \$16,500 for the elected officials, and ask that the raises be granted effective on July 1, 1973.

ESMERALDA COUNTY - ROBERT HARTMAN (County Commissioner)

They have submitted a recommendation to Assemblyman Hafen and Senator Blakemore asking for increases to \$9,600 for elected officials, \$4,200 for county commissioners, and further request that the sheriff and assessor's office be split. They would further request an automatic \$300 increase per year for the following four years on the elected officials, with a July 1, 1973 applicability.

ESMERALDA, NYE, MINERAL COUNTIES - ASSEMBLYMAN HAFEN

Mr. Hafen urged the committee to consider a salary range to be set by the county commissioners with increases based on cost-of-living. They would like the recorder's and treasurer's office split in Nye County.

EUREKA, LANDER, HUMBOLDT, PERSHING COUNTIES - ASSEMBLYMAN HOWARD

The county commissioners of Eureka, Lander and Humboldt Counties request an 18% across-the-board increase. This would give the Eureka county commissioners \$4,200 and the elected officials \$10,600. In Humboldt County the county commissioners would receive \$4,800 and the elected officials \$11,600. In Lander County this would give the county commissioners and the elected officials \$10,600. These have been requested to become effective July 1, 1973. Pershing County would be set at \$4,200 for county commissioners and \$10,000 for the elected officials, excluding the district attorney. They request legislation to establish the district attorney's salary at \$15,000 with no private practice.

HUMBOLDT COUNTY - BILL McDONALD (District Attorney)

They arrived at the 18% increase request by looking at the cost-of-living index at the time the schedule was passed in 1969, and the index has gone up 18% since that time. Mr. McDonald compared the present salaries of county employees with those of others in the community. He also emphasized that the time he has for his private practice has decreased every year.

PERSHING COUNTY - BILL MILICH (County Commissioner)

Pershing County would like to request a \$200 increase the first of July, 1973 for the elected officials and none for the county commissioners. He confirmed they would like to set the salary of the district attorney at \$15,000 with no private practice.

LINCOLN COUNTY - RAYMOND FREE (District Attorney)

A hearing was held in Lincoln County last fall, at which time the following increases were recommended: district attorney, \$14,000; other elected officials, \$12,000; and county commissioners, \$4,800 (the county commissioners themselves only request \$4,200). The sheriff should have an additional \$1,000, over and above the other elected officials, for the reason that he is subject to call at all times.

LYON COUNTY - BOB GRIFFIN (County Commissioners)

Lyon County would request a reversion back to the old system of setting salaries within the counties themselves and feel they could do a better job of this on the local level. They feel they should be in Class 4, with an assessed valuation in the county of around \$63,000,000. They propose an 18% increase effective July 1, 1973, which would set the elected officials at \$10,800, and if this were granted would like to set their salaries in 1975 at \$12,000 with a cost-of-living increase written in so they could be compensated each year. If this is not granted, they would request their salaries be set at \$14,000. The county commissioners would like to be set at \$6,000.

MINERAL COUNTY - CHARLES WATERMAN (District Attorney)

Mr. Waterman compared the salaries of the county officials with those of other people in the area, all of which are lower. He requested an increase for the sheriff of the county. He recommended \$14,435 for some of the elected officials, \$16,000 for the Sheriff.

MINERAL COUNTY - JACK McCLUSKEY

Mr. McCluskey stated that the formula of population and valuation used in setting the salaries is not correct for Mineral County.

He pointed out that the unincorporated town of Hawthorne represents 80% of the county and workload. The level of the county officers salaries should be up-graded.

NYE COUNTY - WILLIAM BEKO (District Attorney)

Mr. Beko has 19 years experience as a prosecutor. The salaries presently being paid the district attorneys are "part-time" salaries based on the private practice aspect of bringing in additional income. President Nixon's Master Advisory Commission on Criminal Justice Standards and Goals published its standards on January 15, 1973 and states that the public defender and the district attorney should be compensated at a rate not less than the chief judge of the highest trial court of the local jurisdiction. In the instance of Nevada the application of this rule would require that the district attorneys and the public defender should be paid the same salary as the district judge. Mr. Beko noted that presently he earns \$9,900 a year and the district judge earns \$24,000.

The statutes, as presently set up, do not take into consideration in any way, the experience of the office holder. By reason of more experience an office holder is capable of doing a better job and should be compensated accordingly. Mr. Beko proposes that a tenure increment should be provided in the statutes to compensate adequately for experience in office. He further proposed an immediate and substantial increase to be enacted effective July 1st of this year, and to enact a statute to authorize a percentage increase based upon previous experience in that same office. An elected official should be paid an additional 1% for each year he has held that office.

CARSON CITY - HENRY ETCHEMENDY (City Manager)

Mr. Etchemendy testified at the request of the Carson City Board of Supervisors. A bill has been previously requested through Senator Pozzi asking that Carson City be completely eliminated from the Salary Act -- the reason for that request is that Carson City is neither a county nor a city, but a consolidated municipality. The bill being drafted would provide authority for the Carson City Board of Supervisors to establish the salaries of the elected officials. One official is doing the job of both a county and city official in any other county in the state. They recommend that three of the elected officials

receive \$20,000 per year (Sheriff, District Attorney and Assessor); \$18,000 for the Clerk and Auditor. They would like the office of Clerk/Treasurer split and to instead appoint a Finance Officer. They request a salary for the Mayor of \$6,600; and each of the Supervisors, \$6,000. They further request that any salary adjustments necessary be applicable on July 1, 1973.

CARSON CITY - MICHAEL FONDI (District Attorney)

Mr. Fondi confined his comments to the "method" used in setting salaries for county officials. He stated the present method seemed unrealistic and illogical -- for a legislature to set salaries for a group of individuals for a period of five and a half years in advance of any possible change in that salary. He suggested a more realistic method would be: (1) tenure increment; (2) cost-of-living increase; and (3) salary range to enable the county commissioners to determine what the elected official's salary should be within a specified limited area.

CARSON CITY - VAUGHN SMITH (Clerk)

Mr. Smith registered his objection to being placed at \$2,000 less than the sheriff, district attorney and assessor, and emphasized that he puts in a lot of overtime on his job.

STOREY COUNTY - BOB DELCARLO (Sheriff)

They recommend a cost-of-living increase to be effective as of July 1, 1973. They would request that the county clerk and recorder be increased to \$11,000, and the district attorney and the sheriff to \$12,000.

WHITE PINE COUNTY - MERLIN HOYT (District Attorney)

Mr. Hoyt noted that in 1969 they held a public hearing in White Pine County, at which time a range bill was approved of \$11,000 to \$16,000. Most of the people in the community supported that bill 100%. Mr. Hoyt now receives \$10,600. He urged a cost-of-living increase and something more realistic -- \$14,000 for elected officials, \$15,000 for the sheriff, and \$5,300 for the board of county commissioners.

CLARK COUNTY - ROY WOOFTER (District Attorney)

Mr. Woofter testified that he is representing Sheriff Lamb's office as well as his own at this hearing. The sheriff of

Clark County presently makes \$21,000 which is not sufficient for the size of the department and the workload. He requested that the legislature not use population as a consideration on salary increases. When comparing the salaries of other district attorneys in other states with the same size department and workload, they are in the \$30,000 bracket. He wholeheartedly agrees with the concept of increasing the salaries and eliminating private practice in the district attorney's office. At the present time there are four deputies in the office making a higher salary than Mr. Woofter.

CLARK COUNTY - STAN COLTON (Registrar of Voters)

Mr. Colton testified that at the County Fiscal Officers meeting in Fallon recently they had endorsed the proposal that the commission be allowed to establish the levels for the elected officials. He suggested that salary levels be established by tenure for the county officials, along with a cost-of-living increase when granted to other county employees.

WASHOE COUNTY - BOB ROSE (District Attorney)

The salary schedule requested would be as follows: district attorney, \$32,000; sheriff, \$28,000; clerk, assessor, treasurer, recorder, \$25,000. They would request that this raise be made effective July 1, 1973, with the exception of the district attorney and they would request an effective date for him of January 1, 1975 during which time they would eliminate the private practice. In addition, they would like elected officials to be permitted a cost-of-living increase, along with other non-elected officials. These should be set by the county commissioners within a range level.

WASHOE COUNTY - H. K. BROWN (County Clerk)

Each year there is an election the staff is required to put in many hours of overtime, and Mr. Brown would request that they be compensated accordingly.

WASHOE COUNTY - VINCE SWEENEY (Undersheriff)

Mr. Sweeney reiterated previous testimony given that in most of the offices in Washoe County there are several county employees receiving a higher salary than the elected official in that same office.

WASHOE COUNTY - RUSS McDONALD (Manager)

Mr. McDonald spoke only in regard to the county commissioners and recommended \$15,000 on their salaries due to the long hours they are required to work and attend meetings.

Chairman Gibson thanked everyone for attending the meeting, stating that the committee now has a better perspective of the problems. They will consider the recommendations and try to have a bill drafted as soon as possible.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Mary Jean Fondi,
Committee Secretary